

Application Serial No.: 10/621,478
Applicants: James Gary Pruett, et al.
Response to Office Action Dated: February 12, 2007
Response Filed: June 29, 2007

Docket No.: HTI.P.8213

III. REMARKS

United States Serial No. 10/621,478 was filed on July 17, 2003. Claim 42 has been amended by the present submission. In view of the amendment and remarks set forth herein, Applicants respectfully request reconsideration and allowance of claims 42-52.

Claim 42 has been amended to recite that the continuous roll composite is material capable of being unrolled. The amendment to claim 42 is fully supported by the original specification and does not present any new matter. The application as filed discloses that the continuous roll composite is material capable of being unrolled.

Support for the amendment is found in the specification as filed in the disclosure that the densified substrate materials may be used to prepare clutch plates, brakes or other friction members, whose dimensions are less than about 1/2 inch thick. See Page 7, lines 14-16. It would be easily understood by one having skill in the art that the continuous roll composite is material capable of being unrolled, based on the understanding that the continuous roll composite must be unrolled from the take-up reel in order to prepare items, such as clutch plates, brakes or other friction members whose dimensions are less than about 1/2 inch thick.

Further disclosure in the application as filed which shows that the continuous roll composite is material capable of being unrolled, is "substrate materials, such as sheets, fabrics and felts, which can be continuously fed through the process furnace from a *stock roll* and taken up at the end of the process with another roll." See Page 7, lines 13-15. Accordingly, the term "stock roll" refers to an accumulated supply of material wound over itself to form a roll. It is necessary that a stock roll be capable of being unrolled because the alternative is that the roll forms a unitary body incapable of being unrolled; if the roll is a unitary body incapable of being unrolled it isn't a "stock roll", it is just a "roll". As used in the specification the term "another roll" refers to another stock roll; that is, both the roll which feeds the substrate materials and the roll which takes up the substrate materials are stock rolls. Applicants submit that, just as the accumulated supply on the first stock roll is capable of being unrolled to feed the process furnace, so is the accumulated supply on the second stock roll is capable of being unrolled.

Additional disclosure in the application as filed which shows that the continuous roll composite is material capable of being unrolled, is “throughput of about 50 linear yards of continuous sheet or fabric material per day can be accomplished with about a 3 hour processing (residence) time using about a 10 foot long deposition zone process furnace. The output could be increased to about 100 linear yards per day by doubling the deposition hot zone length.” See Page 17, lines 2-5. Absent disclosure that the produce is further densified or infiltrated with carbon, or otherwise treated, the use of a common linear measure to refer to both the throughput sheet and the output product is evidence the resultant product is also linear in nature and similar to the sheet or fabric material feed.

The application drawing sheets also provide support for the amendment. Drawings alone may be sufficient to provide the “written description of the invention” required by § 112, first paragraph. *Vas-Cath Inc. v. Mahurkar*, 935 F.2d 1555, 1564 (Fed. Cir. 1991). Reference number 32 of FIG. 1 refers to the feed reel of starting substrate material, which is shown by both solid and dashed lines. These solid and dashed lines show a side view of the feed reel of substrate material having an effective diameter that changes from the larger dashed view to the smaller solid view as the substrate material is unrolled from the feed reel and is drawn into the process furnace. Such a reduction in diameter is the result of removal of layers of substrate material from the original continuously wound roll as the layers are unrolled from the feed reel 32. Reference number 34 of Fig. 1 discloses a take-up reel shown by both solid and dashed lines. These solid and dashed lines show a side view of the take-up reel having an effective diameter that changes from the smaller solid view to the larger dashed view as composite material is wound onto it. Such an increase in diameter is the result of addition of layers of the continuous composite material as the product exits the process furnace and is wound onto the take-up reel. Just as material is capable of being unrolled from the feed reel, so is material is capable of being unrolled from the take-up reel, and the dashed lines represent the variable diameter of the composite materials on the take-up reel.

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35 U.S.C. §103 Rejection

Claims 42-52 have been rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,155,432 in view of U.S. Patent No. 6,264,045 for the reasons of record in the Office Action. Applicants respectfully traverse the rejection of claims 42-52.

The Office Action concedes that Wilson '432 does not disclose a composite material that is wound over itself and Wilson '045 does not disclose a roll composite material that is capable of being unrolled.

Applicants wish to thank Examiner Cole for the courtesies extended during the telephonic interview between herself and Mr. Stephen Presutti, which occurred on April 11, 2007. Applicants acknowledge receipt of the Interview Summary mailed April 19, 2007. Claim 42 and Wilson '432 and '045 were discussed during the interview. Mr. Presutti inquired as to whether amending claim 42 to include the limitation that the composite material was unrollable would be entered after Final Rejection and, if so, if the amendment would place the application in condition for allowance. Examiner Cole indicated that it appeared that the proposed amendment would overcome the art of record, but that it would not be entered after Final since it would require further search and consideration. No other claims or prior art were discussed.

Applicants have amended claim 42 to include the limitation discussed with Examiner Cole. Applicants submit that the amendment to claim 42 overcomes the cited art of record. Because neither Wilson '432 nor Wilson '045 teach or suggest either of the claim limitations of a substrate wound *over itself* or a substrate *capable of being unrolled*, as recited in claim 42 of the present application, the combination of the reference fails to arrive at the presently claimed invention. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §103(a) be withdrawn.

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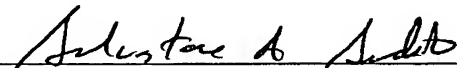
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As claims 43-52 ultimately depend from claim 42 and further limit claim 42, a prima facie case of obviousness for rejection under § 103(a) has not been made with respect to claims 43-52. Applicants therefore respectfully request allowance of claims 42-52.

Should the Examiner have any questions, Applicants' undersigned attorney would welcome a telephone call.

Respectfully submitted,

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